AMENDED

Serial No. 19537

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office FEB 6 1961

Returned to applicant for correction JAN 11 1962

Corrected application filed MAR 13 1962

Map filed MAR 13 1962

The applicant Gordon Macmillan

of Beowawe, County of Eureka,

State of Nevada, hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Underground (Mine Well)
   Name of stream, lake or other source.

2. The amount of water applied for is 10 second-feet
   One scond-foot equals 448.83 gals. per min.

   (a) If stored in reservoir give number of acre-feet ..... acre-feet

3. The water to be used for Irrigation
   Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

   (a) Irrigation (state number of acres to be irrigated) 600

   (b) Stockwater (state number and kinds of animals to be watered)

   (c) Other use (describe fully under "No. 11. Remarks")

   (d) Power:

   (1) Horsepower developed

   (2) Point of return of water to stream

5. The water is to be diverted from its source at the following point: Lot 3, Section 7, T. 31 N., R. 51 E., M.D.B.&M.; or at a point from which the southeast corner of
   Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be stated.
   Section 1, T. 31 N., R. 50 E., M.D.B.&M., bears S. 59°21' W., 1721.7 ft

6. Place of use Portions of NE¼ NE¼, NW¼ NE¼, NE¼ NW¼, NW¼ NW¼, SW¼ NW¼,
   Describe by legal subdivision, if on unsurveyed land it should be so stated.
   SE¼ NW¼, SW¼ NE¼, SE¼ NE¼, NE¼ SE¼, NW¼ SE¼, NE¼ SW¼, NW¼ SW¼, SW¼ SW¼, SE¼ SW¼, SW¼ SE¼ of Section 28, NE¼ NE¼, NW¼ NE¼, NE¼ NW¼, NW¼ NW¼, SW¼ NW¼, SE¼ NW¼, SW¼ NE¼, SE¼ NE¼, NE¼ SE¼, NW¼ SE¼, NE¼ SW¼, NW¼ SW¼, SW¼ SW¼, SE¼ SW¼, SW¼ SE¼ and SE¼ SE¼ of Section 21, NE¼ NW¼, NW¼ NW¼ and SW¼ NW¼ of Section 33, NE¼ NE¼, NW¼ NE¼, NE¼ NW¼, SE¼ NW¼, SW¼ NE¼, SE¼ NE¼, NE¼ SE¼, NW¼ SE¼, NE¼ SW¼, SE¼ SW¼ of Section 32, T. 32 N., R. 49 E., M.D.B.&M.

7. Use will begin about January 1st (Month) and end about December 31st (Month), of each year.

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Water will be the byproduct of a mining operation. It will be pumped from the mine into the Humboldt
   State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.
   River. Again diverted from the Humboldt River in Section 11, T. 31 N., R. 49 E., M.D.B.&M., into the Highline Canal and distributed to various portions of the Horseshoe Ranch.

9. Estimated cost of works $5000.00

10. Estimated time required to construct works 10 years

11. Remarks In addition to the High Line Canal this is also the point of diversion for Beowawe Ditch No. 1, under Permit 9822. A certificate has also been issued, but number of same is not available. All areas listed above also have water rights listed on pages 95, 96, 97 and 235 of the Bartlett Decree.

Applicant Gordon Macmillan

By s/ W. H. Settelmeyer
W. H. Settelmeyer, agent

Compared hs/lb kb/amd

DENIAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby ~~grant~~ deny the same, ~~subject to the following limitations and conditions~~

on grounds that its granting would impair the value of existing rights and would be detrimental to the public welfare.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed _____ cubic feet per second

Actual construction work shall begin on or before

Proof of commencement of work shall be filed before

Work must be prosecuted with reasonable diligence and be completed on or before

Proof of completion of work shall be filed before

Application of water to beneficial use shall be made on or before

Proof of the application of water to beneficial use shall be filed on or before

Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed
Completion of work filed
Proof of beneficial use filed
Cultural map filed
Certificate No. Issued
Recorded Bk Page
County Recorder

WITNESS MY HAND AND SEAL this 10th day of January, 1963

Eluio F. DePecco
State Engineer.

218 (Rev.)